

# HOUSE . . . . . No. 4350

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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An Act PROVIDING FOR THE TRANSFER OF CERTAIN STATE REAL PROPERTY TO THE TOWN OF HOPKINTON..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Notwithstanding the provisions of sections 40E through 40J of chapter 7 of  
2 the General Laws or any other general or special law to the contrary, the commissioner of the  
3 division of capital asset management and maintenance may, in consultation with the department  
4 of conservation and recreation, convey in fee simple, for nominal consideration, a certain parcel  
5 of land, any permanent easements and any improvements and structures located thereon formerly  
6 known as the 1918 Whitehall Reservoir Dam and Gatehouse located on, adjacent and under  
7 Highland Street in the town of Hopkinton, accepted by the town of Hopkinton as a public  
8 highway on March 7, 1925, and the historic Gatehouse, its spillway and the former earthen dam  
9 under Highland Street, to said town for the purpose of operating and maintaining a public way,.  
10 Prior to any conveyance, the town of Hopkinton shall enter into a historical covenant agreement  
11 with the Massachusetts historical commission which shall be filed with the registry of deeds and  
12 run with the land in perpetuity. Use and maintenance of the parcel, excluding the Highland  
13 Street infrastructures, shall be subject to the restrictions and provisions of the historical covenant.  
14 The exact boundaries of the parcel and any permanent easements shall be determined by the

15 commissioner of the division of capital asset management and maintenance in consultation with  
16 the commissioner of the department of conservation and recreation after completion of a survey.  
17 This parcel shall be conveyed by deed without warranties or representations by the  
18 commonwealth.

19         SECTION 2. Notwithstanding any general or special law to the contrary, the town of  
20 Hopkinton shall be responsible for all costs and expenses, including but not limited to, costs  
21 associated with any engineering, surveys, appraisals and deed preparation related to the  
22 conveyance authorized pursuant to this act as such costs may be determined by the commissioner  
23 of the division of capital asset management and maintenance.